

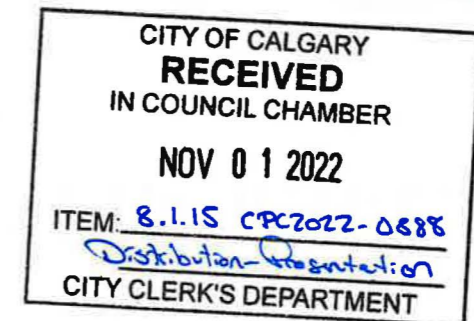
Land Use Amendment in South Foothills

8615 – 44 Street SE

LOC2020-0069

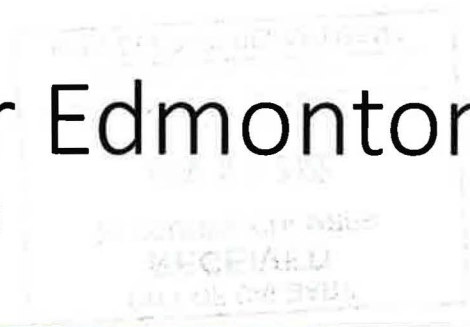
Submissions of MT Investments Inc.
in Opposition to the Proposed Land Use

(Hydrovac Waste Dewatering and Storage Site)



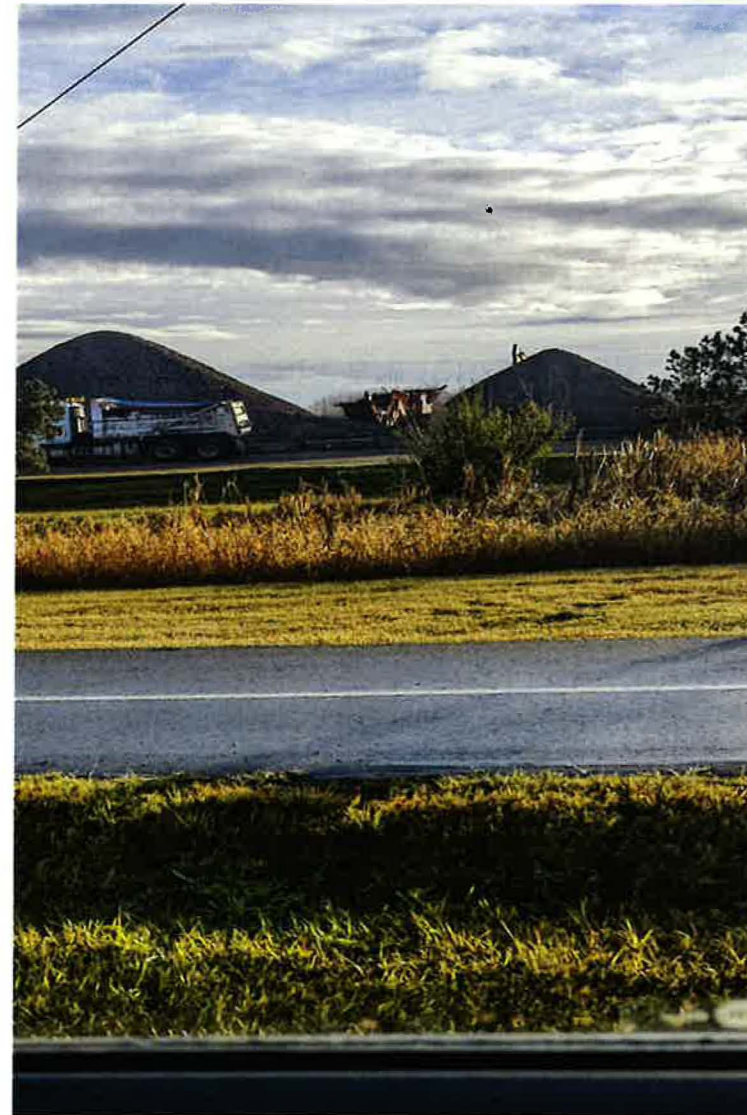
Hydrovac Waste Storage Facility Near Edmonton

(Solid Waste Piles Exposed to Elements to Dry)



Hydrovac Waste Storage Facility Near Edmonton

(Applicant has proposed the same non-mechanical method for drying the solid hydrovac waste)



Waste Management Facility and Setback Variance Guide

1. Introduction

This document helps guide City of Calgary staff, businesses and their consultants work through municipal application processes for waste management facilities or on properties that are affected by waste management facilities.

Whereas the [Subdivision and Development Regulation](#) is a regulation, this guide is a non-statutory document, accepted by the City of Calgary Executive Leadership Team and may be amended from time to time. Where this document conflicts with any federal, provincial and/or municipal statutory document, the statutory document takes precedence over this document.

The excerpts and definitions from provincial regulations embedded in this document were retrieved on January 08, 2021 and may change from time to time.

In applying this document, The City of Calgary shall not be construed or deemed to have assumed the ownership, charge, management, control, or responsibility for any contaminating substances resulting from a waste management facility or any long term risk management, monitoring, or mitigation measures required to support a new waste management facility, waste management facility expansion and/or [Subdivision and Development Regulation](#) setback variance.

The intent of this document is to provide better corporate alignment and for The City of Calgary to make consistent interpretations, follow consistent processes, and make consistent decisions related to development and waste management facilities. Meanwhile, this document will help ensure that applications are reviewed based on sound environmental, public health, safety, nuisance, and regulatory assessment principles.

4. Application Review Considerations

This section outlines the considerations involved when reviewing applications for waste management facilities and school, hospital, food establishment and residence uses in waste management facility setbacks. The flowcharts in this section only depict applications that move forward towards approval based on the completeness of applications and acceptability of the responses to the detailed reviews issued to the applicant. If the applicant is unable to complete the steps in the flowcharts to the satisfaction of The City of Calgary, then the application will not move forward through the approvals process.

There are also non-waste management facility-related matters that must be addressed on every application. Those matters will also need to be addressed for the application to proceed through the review processes.

4.1 New and Expanding Waste Management Facilities

It is beneficial to have waste management facilities within the City of Calgary because they serve a critical functional need, create employment opportunities, and reduce the distance that waste needs to travel in order to be processed. Nevertheless, it is recognized that waste management facilities may potentially impact their surroundings. These potential impacts include environmental, hazard, nuisance and regulatory risks. The City of Calgary's decision on whether to support the development or expansion of a waste management facility must be based on achieving a balance between protection of the waste management facilities as a resource as well as the risks towards the public.

Some uses may have more impact or may be more sensitive to impacts than others and may result in more short- and/or long-term risk to public health and the environment. As such, each waste management facility, school, hospital, food establishment and residence must be treated as a unique entity and it must be recognized that uses may evolve over time. For that reason, each application must be evaluated on its own merits.

It is the applicant's responsibility to perform due diligence to assess and confirm that the proposed use is suitable for its location and that steps are taken to limit conflicts between uses. The City of Calgary is responsible for confirming that the proper due diligence was performed. The operator is responsible for ensuring waste management facilities are operating in accordance with all municipal and provincial authorizations, plans, agreements and regulations.

4.1.1 Soil, Groundwater and Vapour Contamination Risks

- Soil, groundwater and vapour contamination risks are potential impacts associated with the actual or potential release of any waste management facility-related contaminants into the soil and/or groundwater that may materially affect or interfere with the use of the subject or nearby properties.

Factors taken into consideration of assessment of soil, groundwater and vapour contamination risks may include:

- **Types of waste and operational practices of the waste management facility**
- Past operational practices of the waste management facility
- School, hospital, food establishment and residence activity
- Topography
- Geography
- **Distance between uses**
- **On- and off-site soil, groundwater and vapour conditions**
- Risk assessment
- Risk mitigation and/or management measures

Items that The City of Calgary may request to address soil, groundwater and vapour contamination risks may include:

- **Phase I environmental site assessment**
- Phase II environmental site assessment
- Risk assessment
- Risk mitigation plan
- Risk management plan
- Emergency response plan

4.1.3 Nuisance Risks

Nuisance risks are potential impacts of ongoing interference with a nearby property's use and enjoyment of their land. These may include:

- Odour
- Noise
- Vibration
- Waste, dust, erosion, sediment spread from subject site
- Truck traffic
- Animals (e.g. insects, birds, rodents, predators)
-

Factors taken into consideration of assessment of nuisance risks may include:

- Municipal development policy of the surrounding area
- Local area policy of the surrounding area
- Land use designations of the surrounding area
- Long-term viability of uses in the surrounding area
- Potential for the use to be located elsewhere

Items that The City of Calgary may request to address nuisance risks may include:

- Nuisance assessment
- Targeted nuisance mitigation and/ or management measures
- Erosion and sediment control plan
- Risk mitigation plan
- Risk management plan

4.1.4 Regulatory Risks

Regulatory risks are potential impacts of increased regulation related to a waste management facility on the subject and nearby properties. These may include:

- Subdivision and Development Regulation setbacks
- Local area policy

Factors taken into consideration of assessment of regulatory risks may include:

- Impact on approvals timelines for development permit and subdivision applications in new setback areas
- nearby municipal development policy of the surrounding area
- Local area policy of the surrounding area
- Land use designations of the surrounding area
- Long-term viability of uses in the surrounding area